

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, Feb. 21, 1967

Council met in regular session. Present on roll call 7: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Price and Mayor Tollefson. Absent 2: Murtland and Haley.

Dr. Herrmann moved that the minutes of the meeting of Feb. 7, 1967 be approved as submitted. Seconded by Mrs. Price. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition submitted by Forrester Realty Co. for rezoning of property located on the north side of No. 26th between Alder and Cedar St. from an "R-2" to an "R-4-L" District.

Mr. Steve Turllis, representing the petitioner, stated he would be happy to answer any questions the Council wishes to ask.

Mr. Finnigan asked what were the problems at the Planning Commission hearing, since the vote was 4-3 in favor of recommending approval of the rezone.

Mr. Buehler, Director of Planning, explained the question was raised whether or not the apartments should face 26th and Alder. The property owners were concerned as they felt traffic would increase considerably. This is abutting a commercial district and the "R-4-L" would serve as a transition between the "C-1" to the west and the "R-2" to the east. This location is compatible with the "Intent" clause of the "R-4-L" District. The Commission members felt the proposed use would be compatible with the surrounding area.

Mr. Turllis stated they do have a variance for this property.

Mr. Buehler explained the petitioner lacked approximately 300 square feet in order to build the 8 unit apartment house, so a variance was permitted, however, it would not be effective unless the request for the rezoning is approved.

Mr. Finnigan felt if a unit is allowed in this location, it would reduce the value of the residences to the end of that block.

Mr. Cvitanich asked if it would be possible to postpone this for two weeks so that more information could be obtained from the Planning Commission.

Mr. Buehler felt it would not be possible because there has already been two holidays that interfered with an earlier date for hearing.

Mr. Turllis informed the Council that the homes on this street are valued at \$10,000 or under, and felt that any improvements along this street will enhance the value of nearby property.

Mrs. Price moved that the petition be approved and that the proper ordinance be drafted for the rezoning. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

b. This is the date set for hearing on the appeal filed by Ellsworth L. Milton on the denial of the request for rezoning of property located on the north side of Westgate Blvd. between Defiance & Visscher St. from an "R-2" to an "R-3" District.

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Mr. Ellsworth L. Milton, petitioner, stated he thought that duplex zoning would not discourage the single family development now in progress, as there is also only a few hundred feet from this prime area, a large project of multiple family dwellings. He did not feel there would be any traffic increase. With the increase of population throughout the City, he felt duplexes are needed more and more, as many people do not wish to live in large apartment buildings. The plan he has submitted could only be an improvement to the area, he added.

Mr. Bott asked if there was any other duplex development in the area.

Mr. Buehler stated that the PRD Planned Residential Development District, presently being developed, is located approximately 600 feet south. This development is self contained and unrelated to the applicant's three lot sites in both size and location. It should also be noted that the Commission recently recommended denial of a proposed "R-3 PRD" District located approximately 700 feet to the north of the applicant's site. The denial recommendation was based on the fact the development would not be compatible with the present land use within the area.

Mr. Buehler further stated that an "R-3" zoning change at this location would only tend to disrupt the present prime single-family construction within the immediate vicinity. No dissimilar land uses exist in the area to warrant the zoning change. In fact, a single-family preliminary plat was recently approved by the Council for property located directly across Defiance Street. Such action affirms the position of the Planning Commission, that an "R-2", single-family zoning is proper at this location. Furthermore, this reclassification would constitute a 'spot zone' and would only serve as an economic advantage to the petitioner since there exists no public necessity or need for such a zoning at this location.

Mayor Tollefson explained that the Council has just accepted a plat immediately adjacent to this rezone for underground wiring and good homes will in all probability be built on that site. The question is, should permission be given to permit duplexes to be built on vacant land in an undeveloped area or other multiple form of dwellings, adjacent to what would otherwise be very satisfactory for single-family dwellings. He felt that the Council recognizes that rental property has a different connotation and a different degree of care than privately owned, privately maintained property and private ownership is what occurs with single-family dwellings.

After further discussion, Dr. Herrmann moved that the Council concur in the recommendation of the Planning Commission to deny this rezone request. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

PETITIONS:

Petition submitted by Richard H. Todd requesting rezoning of property located between So. 38th & 40th between Manitou Way & O. W. r/o/w from an "R-2" to an "M-1" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 19059

Fixing Monday March 13, 1967 at 4:00 P. M. as the date for hearing on L I D 4808 for paving on No. Highland from No. 30th 550 feet north and other north end streets.

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Mr. Bott moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote. Ayes 7; Nays 0; Absent 2, Haley and Murtland.

Resolution No. 19060

Fixing Tuesday, March 7, 1967 at 4:00 P. M. as the date for hearing on the Zoning Ordinance Text Amendment to the "T" District relative to Use Restrictions-Height-Area-Parking.

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote. Ayes 7; Nays 0; Absent 2, Haley and Murtland.

Resolution No. 19061

Fixing Tuesday, March 21, 1967 at 4:00 P. M. as the date for hearing for the vacation of property on So. C St. and the alley lying immediately to the west between So. 72nd approximately 300 feet south. (petition of Joseph Kotas)

Mr. Johnson moved that the resolution be adopted. Seconded by Dr. Herrmann.

The Resolution was passed unanimously by voice vote. Ayes 7; Nays 0; Absent 2, Haley and Murtland.

Resolution No. 19062

Authorising the proper officers of the City to enter into an agreement with the United States of America agreeing that \$250.00 per month is a reasonable rental for the space occupied in the building at 420 Fawcett Ave. by the Civil Defense Dept. and that any percentage contribution by the U. S. of America payable to the Civil Defense Dept. be based upon said sum.

Mrs. Price moved that the resolution be adopted. Seconded by Mr. Johnson.

Mr. Rowlands remarked that he wasn't certain whether \$250.00 per month rental was sufficient rent. He suggested that the resolution be postponed so that this could be checked.

Mrs. Price moved that the resolution be postponed for one week, until Feb. 28, 1967. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Resolution No. 19063

Awarding contract to Harley Davidson of Tacoma, Inc. for the furnishing of four Solo Motorcycles for the amount of \$8,898.26 less trade-in of \$2600.00.

Mrs. Price moved that the resolution be adopted. Seconded by Mr. Finnigan.

Mr. Bott asked if there had ever been any other bidders.

Mr. Rowlands stated in the last three years Harley Davidson Inc. has been the only bidder. The reason for this is probably because only four motorcycles have been requested.

The Resolution was passed unanimously by voice vote.
Ayes 7; Nays 0; Absent 2, Haley and Murtland.

FINAL READING OF ORDINANCES:

Ordinance No. 18223

Amending Sec. 1.12.480 of the official code relative to the compensation plan regarding Public Health Nurses.

Roll call was taken on the ordinance, resulting as follows:

Ayes 7; Nays 0; Absent 2, Haley and Murtland.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18225

Establishing the land disposition policy for Urban Renewal Projects now in existence and those which may be undertaken in the future and adding Chapter 14.06 to the official code and repealing Ordinances No. 16921 and 17047. (Establishing a Design Review Board)

Mr. Rowlands explained that at the study session Mr. Bott suggested under Section 14.06.020, page 2, where it reads, "This section shall apply only to the New Tacoma Project and to such other plans which may be hereafter approved and which specifically make provision for its application to such plans", that the wording after the word "Project" be deleted.

Dr. Herrmann moved to amend the ordinance on page 2, under section 14.06.020 to change the last sentence to "This section shall apply only to the New Tacoma Project". Seconded by Mrs. Price Voice vote taken. Motion carried.

Mr. Finnigan asked why this ordinance was necessary at this time.

Mr. Richmond, Urban Renewal Director, explained that the Central Association had requested this ordinance as they felt they wanted to be sure to be heard by someone who would give an overall architectural review of their plans.

Mr. Rowlands remarked, last week it was suggested that the membership on the board be eleven, however, the Central Association and other people who are involved in the Downtown Project asked that this be changed back to twelve.

Dr. Herrmann moved that under Section 14.06.020, page 2, 10th line down, the word "eleven" be changed to "twelve". Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Roll call was taken on the ordinance as amended, resulting as follows:

Ayes 6; Nays 1, Cvitanich, Absent 2, Haley and Murtland.
The Ordinance was declared passed by the Chairman.

Ordinance No. 18226

Amending Chapter 13.06 of the official code by adding a new section 13.06.130-39 to include property on the south side of So. 12th St. between Pine & Junett Sts. in a "C-2" District, (petitioned by Peerless Laundry-E. V. Hudson)

Mayor Tollefson remarked there has been considerable discussion on this matter for quite some time. A letter has been submitted by Edward V. Hudson, petitioner, which was requested by the Council last week, agreeing to certain requirements set up by the City Council.

Roll call was taken on the ordinance, resulting as follows:

Ayes 5; Nays 2, Cvitanich and Finnigan; Absent 2, Haley and Murtland. The Ordinance was declared passed by the Chairman.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the Light Division for the month of December 1966.

COMMENTS:

Mr. Rowlands reminded the Council of the meeting of the Water Conservation Congress to be held in Wenatchee, Wash. on March 6 and 7th, 1967. He added, anyone wishing to attend should notify the staff and reservations will be made. 155

Mayor Tollefson stated Mr. Haley wishes to attend and he mentioned that representatives of the Utilities Dept. will also be there.

Mr. Finnigan remarked that property at No. 26th St. extended, was rezoned by the City Council about six months ago. At the hearing, he noted that the petitioner was very anxious to have the rezone approved, but up to now nothing has been done in the way of any development. He felt if the City Council was willing to rezone property for the benefit of the petitioners, they should have their plans in order so that the work might begin immediately after the ordinance becomes effective. He also mentioned that a number of properties have not been developed, such as Center St., Portland Ave and the Morrison property. He asked what has happened to detain these developments. 59-300

Mayor Tollefson remarked that he was not taken in by the petitioner's dire need for the rezone but under the peculiar circumstances whether or not it was reasonable zoning. He felt Mr. Finnigan's point was well taken and asked that the Planning Commission review these delayed developments and find out what has taken place in regard to them.

Mr. Finnigan asked that Mr. Buehler check property that has been rezoned for developments within the last year or two where the petitioner hasn't made any effort to develop the rezoned property, also that he inquire what type of structure was planned.

Mr. Cvitanich stated, several years ago the Legal Dept. and Planning Commission submitted a brief to the City Council noting that it was the opinion that the property could not revert back to its original zoning. He felt the Council was a Legislative group and if the petitioners do not develop the property as requested, that the Council should be able to revert the property to its original zoning.

Mr. Richmond, Urban Renewal Director, mentioned the property owners, Mr. Kamhoot and Mr. Lartourette who own property on Center St., and they have now acquired an adjacent piece of property which will now allow them to continue with their total development. It is true, there has been considerable delay but plans and financing have now been consummated. This is now in the Legal Dept. for completion.

Dr. Herrmann felt the Planning Commission and the City Council make their decisions on the highest and best use of the land the Council should not be particularly concerned if the development doesn't begin immediately.

Mr. Bott asked that Mr. Rowlands inquire why the lights on So. 64th and Yakima have not been operating recently.

Mr. Bott stated he appreciated the way the entrance was reconstructed at So. 56th St. and the Freeway, going south. However, a problem is now apparent at the entrance to the Freeway on So. 74th St. He asked that Mr. Schuster check the entrance and suggested that it be marked "Freeway Entrance."

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Mr. Johnson asked that Mr. Schuster check the turn lane directing traffic coming from the Narrows Bridge to Pearl Stl. as at present it leads traffic into the Lucky Stores instead of into Pearl Street.

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Mayor Tollefson acknowledged the request of Mrs. Virginia Shackelford to speak to the Council.

Mrs. Shackelford stated that Mrs. Anderson, Mrs. Bacon and herself represent the Committee for Representative Government. She stated they are three housewives currently circulating petitions calling for the election of freeholders to study a charter change. She added, that their committee has received 43 calls from City employees who wish to sign the freeholder petitions but who fear reprisals if they did.

Mayor Tollefson and Mr. Rowlands, City Manager, assured her that City employees are free to sign the petitions without fear.

Mrs. Shackelford submitted a list of questions to the City Council to be answered in the next week or two.

There being no further business to come before the Council, upon motion duly seconded and passed the meeting adjourned at 6:30 P. M.



Mayor of the City Council

ATTEST: 

City Clerk